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Massachusetts Criminal Records Improvement Plan

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Criminal Justice Records Improvement Task Force

Dennis A. Humphrey, Ed.D.
Chair

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Massachusetts Criminal Records Improvement Plan
June 1994

Introduction

In June 1992 the Commonwealth published the first Criminal Records Improvement Plan for Massachusetts. The goal of the record improvement plan was to provide a blueprint for the development of a fingerprint-based criminal record system in the Commonwealth. In June 1993 a Concept Paper was developed which outlined additional specific projects oriented towards criminal records improvement.

The need to continually seek an accurate, complete, and integrated criminal records system remains as important an issue today as it was in 1992 and 1993. More and more agencies - both within and outside the criminal justice community - rely on criminal history information as a basis for critical decisions. The new provisions of the National Child Protection Act of 1993 and the Brady Law underscore the continuing need for access to criminal history information to support decision makers.

Adopting the methodology of the 1992 plan, where eight key data collection and entry points were identified that are critical to the development of a comprehensive integrated criminal justice information system, the report will describe the present situation regarding the quality of criminal records, identify problems and obstacles to complete criminal records, and recommend steps for improving criminal records and addressing problems and obstacles at each of these key points. The current plan also reports on the progress made towards implementation of the recommendations of the June 1992 report and the projects outlined in the interim June 1993 concept paper. Following these evaluations, the current report will set forth a renewed assessment of the manner in which the quality of criminal history records can best continue to be improved.

Planning Methodology

The Criminal Justice Records Improvement Task Force. In 1992, the first step in the process of formulating the criminal records improvement plan was the establishment of the Criminal Justice Records Improvement Task Force, a group that continues to oversee the implementation of the plan. Established by the Secretary of the Executive Office of Public Safety, the Task Force includes representation of the Criminal History Systems Board, State Police, the Chiefs of Police Association, the District Attorneys Association, the Office of the Chief Administrative Justice of the Trial Court, the Office of the Chief Justice of the District Courts, the Office of the Commissioner of Probation, the Sheriffs Association, the Department of Correction, the Parole Board, the Committee on Criminal Justice, and the

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Registry of Motor Vehicles. Currently, the Task Force is chaired by the Executive Director of the Committee on Criminal Justice. A list of the current Task Force members and the agencies/associations they represent is attached as Appendix A.

The Criminal Records Improvement Working Group. The Task Force formed the Criminal Records Improvement Working Group, consisting of individuals knowledgeable about the status of the quality and completeness of criminal record data at each of the key data collection and data entry points in the Massachusetts criminal justice system. The Executive Director of the CHSB serves as chair of the Working Group. A list of the Working Group members and the agencies/associations they represent is attached as Appendix B.

Guiding Principles. In order to provide a framework for the formulation of an implementation strategy, the Task Force established a set of guiding principles which continue to guide the planning effort. The objective set by the Task Force was to:

> *Develop a fingerprint-supported criminal record system, using CJIS as the hub for connecting criminal justice agencies, and using the SID Number as the unique identification number linking the criminal record data compiled by each criminal justice agency.*

The Task Force also set forth the following guiding principles to meet this objective:

1. *Continue to support ongoing automation efforts that are improving the quality of criminal records.*

2. *Support automation of criminal record information where none exists.*

3. *Support initiatives that will enhance connectivity among criminal justice records systems and facilitate the electronic interchange of criminal record information.*

4. *Foster the development of standards relating to data definitions and structures, technologies, and procedures in order to facilitate the electronic interchange of criminal record data among criminal justice agencies.*

5. *Identify pilot projects which could serve as prototypes for improving the quality of criminal records.*

6. *Review statutory and other criminal record reporting requirements and make recommendations that will ensure that*

the needs of all users of criminal record information are addressed.

7. *Develop procedures for monitoring missing criminal record information, such as arrest information, fingerprint submissions, and court dispositions, and for obtaining such missing information.*

8. *Develop education programs on the importance of fingerprint-supported criminal records and training programs for improving the accuracy and completeness of criminal record information.*

9. *Continue the Task Force to monitor progress on the implementation of the criminal records improvement plan.*

Recommendations of the 1992 Criminal Records Improvement Plan

As reported in the Criminal Records Improvement Plan, in Massachusetts the Probation Central File (PCF), administered by the Office of the Commissioner of Probation (OCP), served as the central repository for criminal records in the Commonwealth. Traditionally, probation offices in the local courts submitted court disposition data to the central manual file at OCP. More recently, this court disposition data was automated by the OCP, and a copy of this file resides on the CJIS system for access by the law enforcement community. As a result of this approach, Massachusetts developed a centralized criminal record system that was strong on disposition reporting. However, as noted in the plan there existed the important limitation that these criminal records are not fingerprint-supported.

In Massachusetts fingerprint cards are routinely submitted by criminal justice agencies to the Massachusetts State Bureau of Identification (MSBI) where they are processed electronically, assigned a State Identification (SID) number, and stored in the Automated Fingerprint Identification System. The results of this analysis also reside in the Automated Name Index (ANI) file on the CJIS system for access by the law enforcement community. As identified in the 1992 plan, the issues of capacity in the processing of fingerprint information and the inability to link fingerprint information from the MSBI files with computerized criminal history information in the OCP files were constraining the significant improvement in the quality of criminal history information.

Taking into account the structure of the criminal justice system in Massachusetts including the strength of its disposition reporting and the ability of the state to automatically do fingerprint searches, the 1992 Criminal Records Improvement Plan focused on the need for development in three critical areas: addressing the existing backlog of fingerprint cards

and the growth in fingerprint volume through staffing and automation projects at the MSBI; establishing a link between the CJIS network and the OCP network; and improving disposition reporting in the OCP. This report will review the progress made on reaching these objectives.

Recommendations of the 1993 Concept Paper on the Development of an Integrated Criminal Justice Information System

In June 1993 the Working Group developed a Concept Paper for review by the Task Force outlining a two-tiered strategy for activities during the current fiscal year. The first tier involved a demonstration of advanced electronic capture of fingerprint information at two sites, the Department of Correction and the Norfolk County Sheriff's Department, and the transmission of these fingerprints to the MSBI for processing.

The second tier involved the development of a point of arrest system. This system is based on existing technologies through three coordinated projects: a market study of the automation in local law enforcement agencies, a conference with vendors of automated records management systems to local law enforcement agencies, and a pilot project demonstrating the feasibility of connecting critical point-of-arrest information contained in local records management systems through the CJIS network to the point-of-arraignment and point-of-identification.

While these projects are still on-going, the viability of livescan equipment as a method to capture high quality fingerprint information and to coordinate the transmission of that information to the point-of-identification and to incorporate the SID number into the internal records management systems of criminal justice agencies has been well demonstrated. The survey indicates a fairly high level of automation in local law enforcement agencies and that much of this automation was implemented using a small number of vendors. The vendor conference demonstrated the viability of a strategy that relies on a private-public partnership in addressing the need to develop an integrated criminal justice information system. The pilot project involves a district court, a local law enforcement agency, the county correctional facility, the MSBI, and the CHSB, serving as the hub for facilitating the exchange of information, in a demonstration of the viability of electronically transferring information to and from the point-of-arrest. Of great interest is the number of other projects that can be built from this basic infrastructure.

Analysis of Key Data Collection and Entry Points

As identified by the Working Group, the eight critical data collection and entry points for fingerprint and criminal history information are:

Point of Arrest	State and Local Police Departments
Point of Identification	MSBI ANI file and AFIS files

Point of Criminal Arraignment	Probation Central Court Disposition File
Point of Civil Protective Relief	Probation Civil Registry of Restraining Orders
Point of Probation Supervision	Probation Case Assignment and Tracking
Point of State Supervision	Department of Correction File
Point of County Supervision	Sheriffs Departments Files
Point of Parole Supervision	Parole Board File

In the sections below, the current situation regarding each of these data collection points is described, the problems and obstacles are identified, and recommended steps for improving the quality of criminal records and addressing the problems and obstacles are outlined.

1. Point of Arrest - State and Local Police Departments

Current Situation. Massachusetts law requires that any person who is arrested by virtue of process or is taken into custody by an officer and charged with the commission of a felony shall be fingerprinted.[1] Two copies of the fingerprints are required to be submitted to the Massachusetts State Bureau of Identification. In almost all instances, the preparation of these cards is based on the use of conventional rolled-ink technology. Many other state statutes govern the capture of fingerprint information by local law enforcement and licensing authorities. Unless specifically excepted by the court, the chief administrative officials of penal institutions are required to take fingerprints of all individuals committed for any crime.[2] Police officers are permitted to fingerprint those arrested for and charged during a riot, disturbance, or demonstration [3] or any violation of the controlled substance act.[4] The

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[1] M.G.L. Chapter 263, Section 1A reads, "Whoever is arrested by virtue of process, or is taken into custody by an officer, and charged with the commission of a felony shall be fingerprinted, according to the system of the bureau of investigation and intelligence in the department of the state police, and may be photographed. Two copies of such fingerprints and photographs shall be forwarded within a reasonable time to the colonel of state police by the person in charge of the police department taking such fingerprints and photographs."

[2] M.G.L. Chapter 127, Section 23 reads in part, " . . . The officer in charge of a penal institution to which a person is committed under a sentence of imprisonment for any crime shall, unless the court otherwise orders, take or cause to be taken his name, age, height, weight, photograph and general description and copies of his fingerprints in accordance with the fingerprint system of identification of criminals.

[3] M.G.L. Chapter 41, section 98 reads in part, ". . . whoever is arrested and charged with any offense committed during a riot, disturbance or mass demonstration may be fingerprinted, according to the system of the bureau of identification in the department of public safety and may be photographed.

racing commission is allowed to provide for the fingerprinting of all licensees.[5] Firearms dealers licensing authorities are also mandated to conduct fingerprint based criminal record checks.[6] Similarly, licenses to carry or possess firearms are also mandated to be based on a fingerprint supported criminal record check.[7] Further, the Criminal History Systems Board is permitted to set restrictions on the inspection of CORI, including the positive identification of those individuals seeking access to CORI.[8]

Most local police departments are currently equipped with automated records management systems. These automated systems contain valuable information on criminal events, including basic booking, demographic, and identification information on subjects. These systems generally have the capability to electronically capture the demographic information needed for preparation of fingerprint cards and often are able to prepare in the preparation of the fingerprint card by electronically pre-printing a label to affix to the fingerprint card or pre-printing on the actual fingerprint card. These systems also contain information that is valuable to criminal justice agencies at other points in the process

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[4] M.G.L. Chapter 94C, section 45 reads in part, " . . . Any person arrested for or charged with the criminal violation of any provision of this chapter which constitutes a felony many at the time of arrest or as soon thereafter as is practicable be photographed and fingerprinted according to the system of the state bureau of identification, an upon conviction any such fingerprints and photographs shall be made a part of permanent records of the police department of the municipality where the arrest took place, and without delay two copies of the fingerprints and photographs shall be forwarded, with such other description as may be required and a written history of the offense, to the state bureau of identification.

[5] M.G.L. Chapter 128A, Section 9A reads in part, " . . . such rules and regulations shall also provide for the fingerprinting of all licensees."

[6] M.G.L. Chapter 140, Section 122 reads in part, ". . . The licensing authority to whom such application is made shall cause one copy of said applicant's fingerprints to be forwarded to the commissioner of public safety, who shall within a reasonable time thereafter advise such authority in writing of any criminal record of the applicant."

[7] M.G.L. Chapter 140, Section 130A reads in part, " . . . said chief, board, officer or anyone authorized by them, respectively, shall within seven days of receipt of a completed application for such license, forward one copy of said applicant's fingerprints to said commissioner, who shall, within thirty days, advise, in writing, the licensing authority of the criminal record, if any, of the applicant.

[8] M.G.L. Chapter 6 Section 176 reads in part, ". . . agencies at which criminal offender records are sought to be inspected shall prescribe reasonable hours and places of inspection, and shall impose such additional restrictions as may be approved by the board, including fingerprinting, as are reasonably necessary both to assure the record's security and to verify the identities of those who seek to inspect them".

including arraignment, probation, prosecution, correctional supervision, and parole supervision.

Problems/Obstacles. With the exception of rejected cards and cards that result in new identifiers, local criminal justice agencies who submit fingerprint cards to MSBI do not receive routine feedback on the results of the fingerprint processing. In particular, agencies do not receive the SID number from MSBI and there is no mechanism to electronically record the SID number as part of local automated records management systems. The transmission of fingerprint information to the MSBI and the receipt of information from the MSBI is not sufficiently timely to positively identify subjects during a period of detention. Local law enforcement agencies are often required to make timely identification decisions of individuals with whom they are not familiar. Positive identification will assist in supporting the decision making process of local law enforcement.

While most local police departments are substantially automated, there is no mechanism to connect information contained in these systems with the CJIS system or with the automated records management systems of other criminal justice agencies. Redundant entry of information is often made into multiple systems causing unnecessary delays and inefficient use of scarce resources.

Recommendations. It is important to provide routine and timely feedback to submitting agencies on the results of the fingerprint processing. Electronic transmission of fingerprint information and electronic feedback of the SID number via the CJIS network should be explored. The SID number can then be incorporated as part of the records management system. Law enforcement agency access to the Automated Name Index (ANI) File on CJIS should be expanded, as this file has been demonstrated to be a valuable resource in identifying offenders. Such access should be linked with the submission of fingerprint cards from local law enforcement agencies.

Strategies that support connectivity between local law enforcement agencies via the CJIS network should be encouraged. This connectivity should be based on jointly established standards for the collection and transmission of information between local and state agencies and should incorporate the notion of true information exchange, that is both the transfer from and receipt of information to local law enforcement agencies. In areas such as warrants management, firearms licensing, mandated reporting, and many others, there are opportunities for substantial gains in operational efficiency in local law enforcement. The cooperation of those vendors who supply automated records management systems to local law enforcement agencies should be promoted in order to achieve the rapid transfer of this model throughout the Commonwealth.

Emerging technology, such as the live scanning of fingerprints at remote sites with electronic submission of fingerprint data to the AFIS computer should be explored as a

means of facilitating the submission of fingerprint data from local law enforcement. The model demonstrated by the pilot projects between the State Police and Department of Correction and the State Police and the Norfolk County Sheriff's Department needs to be considered for expansion to local law enforcement. The success of this prototype suggests that regional sites for live scanning prints and electronically submitting them to AFIS could be established.

2. Point of Identification - MSBI and AFIS

Massachusetts State Bureau of Identification

Current Situation. The Massachusetts State Bureau of Identification (MSBI) receives ten-print fingerprint cards from law enforcement agencies across the Commonwealth. MSBI, which currently has a staff of six, received 65,000 cards in 1993. Due to a substantial and persistent backlog, 11,000 of these cards were not processed during the year. MSBI currently maintains a collection of 750,000 fingerprint records in manual paper files on site, with each fingerprint record representing a different individual.

MSBI staff analyze and classify fingerprints and determine positive identification based on the prints. They assign a unique, fingerprint-based SID number to each individual whose prints are processed. The SID number and identifying data, including aliases, are entered in the Automated Name Index (ANI) file on CJIS. Thus, the ANI file represents a master name index with a unique identification number assigned to each individual in the file. There are presently 829,407 records in the ANI file.

The ANI file has proved to be a tool of great value for investigative and other criminal justice applications. MSBI participated in a pilot project with over 20 law enforcement agencies involving use of the ANI file. The project evaluated the utility of the ANI file given that specific arrest information is not included in all cases and that administrative data, i.e. historical fingerprint records taken from criminal justice job applicants, was included in their the ANI file. The pilot project demonstrated that these were not obstacles to the productive and valuable use of the ANI file. Screens presenting the information can be designed to include messages regarding limitations for use of ANI file data, e.g. that is for use as an investigative tool only and does not serve as probable cause for an arrest. A process is now in place for expansion of access to the ANI file to 30 additional local law enforcement agencies.

MSBI also participated in a pilot projects involving the demonstration of live-scan capture of fingerprint images from both the Department of Correction and the Norfolk County House of Correction. In this project, fingerprint images are electronically captured at these two correctional facilities and are remotely printed at MSBI. This project successfully demonstrated the use of live-scan technology in its ability to rapidly transfer fingerprint cards to MSBI and to capture images that are of much higher quality than

conventional fingerprint technology permits. Further, the project demonstrated the concept of a offender based tracking number, in this case the DOC and Norfolk County commitment number, which serves as a link between the fingerprint supported SID number and the internal records management systems of the contributing agencies. Because this project is compliant with future automation standards, it should serve as a strong basis for expansion.

Fingerprints are not submitted to MSBI for all felony arrests. It is estimated that fingerprint cards are submitted to MSBI for 70% of felony arrests and for 25% of all arrests. Approximately 74% of the full-time police departments in the Commonwealth presently submit fingerprint cards to MSBI. Further, the fingerprint cards are not always of sufficient quality to be incorporated into AFIS. It is estimated that 11% of the fingerprint cards received by AFIS in 1993 were not qualified to be registered.

Problems/Obstacles. While MSBI should serve as a repository for fingerprint information for all criminally involved subjects, it is not currently able to fully function in this capacity. As noted above, not all felony arrests result in the submission of a fingerprint card to MSBI. Further, it still remains the case that many defendants arrive in court via a subpoena or complaint, not associated with an arrest, and these defendants are typically not fingerprinted.

The lack of adequate resources persists at the MSBI and results in an ever increasing backlog of fingerprint cards awaiting processing. The current backlog stands at over 90,000 fingerprint cards awaiting processing. Of the 65,000 cards received in 1993, 11,000 were not processed by the end of the year. Even the live-scan fingerprint cards received at MSBI go into the normal processing queue.

Law enforcement agencies do not typically receive feedback on the results of the MSBI fingerprint processing and therefore are not able to incorporate the SID number into their records management systems. Only those cards that result in an identification with demographic information different than that on the original card receive a response from the MSBI.

Recommendations. The single most important recommendation is that support for increasing the staffing levels and other resources of the MSBI needs to be forthcoming. Without additional staff and resources, there is no other way to maintain an efficient processing of fingerprints and assignment of SID numbers. MSBI must have the capacity to handle the increased volume of new submissions and to address a growing backlog of unprocessed fingerprint cards.

MSBI, which currently has a staff of six, received 65,000 cards in 1993. In contrast, in 1988 MSBI received 46,000 cards with a staff of 18. While it is helpful, automation will not alone reduce the need for additional staff. As demonstrated by the live-scan pilot project, automation provides assistance in the rapid transfer of fingerprint information and

improves the quality of the fingerprint information that is captured, but automation alone does not replace the need for fingerprint technicians to review the material that is received and therefore has not served to address the backlog of cards processed by MSBI.

Staffing increases can be accomplished through a variety of methods. The most preferable method is an increase in the number of permanent staff assigned to the MSBI. Other alternative strategies include the use of over-time or the assignment of temporary employees who can relieve some of the clerical burden from more experienced fingerprint technicians.

Resources should also be forthcoming for the automation of MSBI operations including the use of electronic storage media to handle the large volume of fingerprint cards. The ability to electronically transfer demographic information captured by local law enforcement agencies as part of the booking process to MSBI should help to ease the data entry burden of MSBI.

In order for MSBI to serve as a complete repository for fingerprint supported identification information, universal capture and submission of fingerprint information of all felons and misdemeanants must be addressed. Any effort to increase submission rates must be related to the staffing levels and resources assigned to the MSBI. The statutory mandate for law enforcement agencies to submit fingerprint cards for all felony arrests should be reinforced. Further, the fingerprint statute should be expanded to include provisions for fingerprinting those defendants who appear in court via a process other than arrest, e.g. summons, indictment, etc. and for the fingerprinting of misdemeanant.

In order to address the problem of the quality of fingerprint cards that are submitted, training in proper fingerprinting techniques should be enhanced, and education in the importance of fingerprints for ensuring the positive identification of offenders and the accuracy of criminal records should be provided. As demonstrated by the pilot livescan project, the expanded use of livescan fingerprint capture will also serve to enhance the quality of fingerprint information.

Expanded access to the ANI file for law enforcement agencies should be encouraged. The pilot project simultaneously demonstrated the ability of the law enforcement community to use the information appropriately and clearly indicated the utility of the information contained in the file for criminal justice purposes.

Automated Fingerprint Information System

Current Situation. The Massachusetts Automated Fingerprint Information System (AFIS) is a valuable tool for law enforcement. The AFIS database includes the results of a detailed topological analysis of an individual's fingerprints and links this information via the SID number back to other identifiers. The value of AFIS to the law enforcement community

is its ability to rapidly identify an individual through an electronic search of the AFIS data base. Similarly, latent prints secured at a crime scene can also be searched against the AFIS data base in order to identify possible suspects in a case.

AFIS presently contains 408,000 automated fingerprint records in a system with a capacity for 450,000 such records. A recently completed project upgraded the storage capacity of AFIS from 400,000 to 450,000 and upgraded the system software as well. The AFIS unit processed 43,885 cards in 1993 with a staff of five. This resulted in the AFIS registration of 20,000 to 25,000 individuals, representing those individuals previously not included in AFIS. The central AFIS site is staffed for a single shift during normal business hours.

While AFIS is currently accessible through a single site in Boston, the Massachusetts State Police are planning to procure terminals that will allow access to the AFIS data base from remote locations. Initially these three terminals will be located at the State Police Crime Scene Service locations and may be expanded to further sites in the future. While primarily intended for the analysis of latent fingerprints, these remote locations will be capable of the analysis of standard ten-print cards.

Problems/Obstacles. Originally acquired in 1986, the Massachusetts AFIS is among the oldest systems in the country. Recent developments in AFIS technology allow for more flexible, efficient, and powerful systems that will ensure compliance with emerging national standards for the retention and transfer of electronic fingerprint information. Capacity of AFIS is not currently an issue, but the projected capacity and future demands for AFIS services should be carefully forecast to ensure that this does not become a constraint.

Recommendations. AFIS should be upgraded to new technology as soon as possible. This will allow for the use of more flexible work stations based on open systems architecture and standards.

The staffing pattern of the central AFIS site should be expanded to two shifts per day. Additional off-hours coverage can be done at remote sites and by State Police staff who have 24-hour access to the central site.

3. Point of Criminal Arraignment - Probation Central File

Current Situation. Court disposition data is entered into the central database of the Office of the Commissioner of Probation via terminals in the probation offices located in the Boston Municipal Court, in 68 District Courts and 12 Superior Courts of the Commonwealth. The OCP court disposition file contains 2 million records - i.e., individuals - which represent 7 million offenses. Every individual who has been before the courts in the last 12 years has his complete criminal record in the automated file. The names and identifying data of other individual with criminal records, who have had no court contact

during the past 12 years, are also in the automated file with a notation that their records are on microfilm.

Statistics generated from this database indicate that 96% of those who appear in the Superior Courts in a given year are already in the automated record system, and 80% of those arraigned in the District Courts are already in the system. Therefore, there are approximately 80,000 "new" individuals in the court system annually.

Therefore, a major accomplishment in relation to improving the quality of criminal records in Massachusetts has been the automation of court disposition data by OCP. This court disposition database, which will serve as the heart of the fingerprint -based criminal record system, is replicated on the CJIS computer for access by the law enforcement community, and, pursuant to the new CORI law, for dissemination to the public under specified circumstances. Transfer of court disposition data to the CJIS computer is accomplished by an electronic link between the Trial Court and the CJIS computers. This electronic link was developed with BJA Formula Grant funds. Transfer of data is effected by daily updates over the interface.

Under the guiding principle of continuing to support ongoing automation efforts that are improving the quality of criminal records, $300,000 of the FY92 Federal Formula Grant Program Funds were earmarked to OCP to continue the development of this enterprise. This funding supported the deployment of personal computers at local probation offices. These personal computers facilitate the flow of court disposition data and, as will be seen below, domestic violence restraining order data, to the central OCP database.

During State FY94, a pilot project for testing mechanisms for transferring the SID number to the court disposition database was designed and implemented. The "front-end" initiatives mentioned above - MSBI automation, AFIS capacity upgrade, ANI file enhancement - will converge to provide more timely availability of the SID number to law enforcement. This would set the stage for the pilot project whereby a police department could electronically transmit arrest/complaint information - ultimately, including the SID number - to the court of arraignment prior to the arraignment. It is noteworthy that the capability for virtually every police department in the Commonwealth to electronically transmit such arrest/complaint information to every local probation office in the courts now exists with the new OCP/CJIS electronic link.

4. Point of Civil Protective Relief - Probation Civil Registry

Current Situation. Abuse Prevention Restraining Orders issued in Superior, District and Probate & Family Court Departments are immediately entered into the OCP computer system by staff in local Probation Offices of those court departments. Created in September, 1992, there are now over 60,000 restraining orders against over 57,000 defendants. This critical database is connected to the Court Activity Record Information System also

maintained by the Massachusetts Probation Service. Data from the Civil Restraining Order Registry is transferred daily to the CJIS using the aforementioned electronic link between Criminal History Systems Board and The Massachusetts Trial Court.

5. Point of Probation Supervision - Probation Case Assignment and Tracking

The Case Assignment and Tracking System (CATS) provides probation supervision data to the central OCP database. When the new OCP/CJIS electronic Link was installed on July 1, 1992, certain probation supervision data began to be transferred from the CATS file to the CJIS computer for purposes of implementing the new CORI law. It may be possible to make this probation supervision data available to the law enforcement community via CJIS in much the same manner in which parole supervision data is presently available to law enforcement via CJIS.

6. Point of State Supervision - Department of Correction

The Department of Correction is presently submitting ten-print cards to the Massachusetts State Bureau of Identification (MSBI) via the installed "Live-Scan" equipment. Results of the search include the return of the State Identification Number (SID) to the DOC. The DOC has also been provided access to the state Automated Name Index (ANI) file on CJIS.

Return of the SID will allow for integration of certain DOC data and CHSB data, thus enhancing system availability and resources. The DOC has established a specialized unit (Warrant Clearance Unit) at MCI Concord to coordinate and track criminal history, wanted persons, and related data. It is expected that this unit will collect and disseminate collected history to include fingerprint-supported data.

The DOC and CHSB are coordinating implementation of specific CJIS screens that will allow for CJIS users to view certain DOC data, similar to the recently released Parole screens. The DOC Research Division and Management Systems are near completion of this project.

The DOC and CHSB are discussing wider access of the CJIS network to the DOC facilities and divisions. Expanded accessibility of this resource will enhance the DOC's ability to collect pertinent criminal history information in a more expedient manner. Initial discussions have focused on expanded connectivity through direct links, such as PC TCP and Novell networking.

The DOC plans to continue internal and external automation projects, to ensure compliance with certain state and federal mandates, and to ensure that modern technology practices are recognized and accepted accordingly.

7. Point of County Supervision - Sheriff's Departments

The Massachusetts Sheriff's Departments are still updating automated systems to conform to standards of the Bureau of Justice Assistance (BJA) and the Criminal Records Improvement Plan.

A number of pilot projects are being developed at the county level to demonstrate improvement in the management of county correctional data through automation..

The first pilot project involves "live scan" fingerprints. The Norfolk County Sheriff's Office has purchased a live scan Ten Printer from Digital Biometrics Inc. The live scan Tenprinter was installed August 18, 1992 and enabled Norfolk County to capture and prepare ten-print cards locally. Electronic transmission of the fingerprints from Norfolk County to MSBI began in February, 1994. This Ten Printer enabled Norfolk County to submit live fingerprints to MSBI from a remote location, as MCI Concord does at this time.

All counties have been encouraged to submit monthly data reports on diskette to the CHSB for purposes of administering the public access provisions of the CORI law, and for statistical purposes to improve accounting of inmate population and establish common shared data fields. The data collected from the counties may also be used in developing an automated reporting system to INS through CJIS.

A second pilot will enable Norfolk County to electronically transfer data to CHSB via the CJIS network, similar to the transfer used by the Office of the Commissioner of Probation. This project would also demonstrate the use of "open systems" using CJIS as the hub. The Norfolk County Sheriff's Office is now ready to transfer data to CHSB via the CJIS network and will be ready to receive data based on the point-of-arrest pilot project.

In a third project, Norfolk County participated in the MSBI pilot involving extended use of the ANI file. The Norfolk County Sheriff's Office has been using the ANI file since July 1993. The use of this file proved instrumental as a tool to assist the Sheriff's Office identify offenders admitted to the correctional facility.

The combination of live scan technology with an offender based tracking number and an "open systems" approach to the transfer of data would greatly enhance the accuracy of identifying and tracking of criminal offenders. Norfolk County is awaiting funding for the pilot involving electronic transfer of data among police departments, courts, MSBI, and the Sheriff's Department, using CJIS as the infrastructure for information exchange.

8. Point of Parole Supervision - Parole Board

Current Situation. In January, 1994 the Massachusetts Parole Board implemented the parolee module of its Parole Automated Tracking System (PATS). PATS is an on-line, real-

time transactional database that resides on the Commonwealth's Office of Management Information System's (OMIS) mainframe computer. On a daily basis, the Criminal History Systems Board (CHSB) staff downloads parolee data from the OMIS computer, using a file transfer program, so that parolee data is available in an automated fashion to the CHSB in order to meet the public access provisions of the new CORI law.

Additionally, as the result of a pilot project, parolee information is now automatically cross-matched against the computerized criminal history and civil restraining order information provided to the Criminal History Systems Board by the Office of the Commissioner of Probation. As a result of this linking of court information to parolee information, law enforcement officers are now made aware of an individual's possible parole status and apprised of the issuance of any restraining orders at the same time they are accessing the offender's court-supplied criminal record. Further, the Parole Board is automatically notified via an electronic message whenever a law enforcement agency makes an inquiry about an active parolee.

Problems/Obstacles. Parolee information is not fingerprint supported at this time. While Parole has the probable SID number on most of its records, it should be noted that the assignment of the SID number is done by matching identifying data - e.g., name, date of birth, etc. - with information on the Automated Name Index (ANI file), rather than by submitting fingerprint cards to the Massachusetts State Bureau of Identification (MSBI).

There is still a time delay in conveying current parolee data to the CHSB. Full implementation of the PATS system will result in the parolee data being available in a more timely fashion because, until the inmate module of PATS is implemented, data entry of parolee data is still dependent upon the time it takes to manually process the paperwork from the releasing state and county institutions to the parole field offices. Parole anticipates implementing the remaining inmate and CORI victim modules in 1995.

Recommendations. A mechanism for systematically linking the SID number to Parole records should be developed. The DOC/MSBI project should serve as a model here. Further, implementation of the inmate and victim module of the PATS system will provide CHSB and law enforcement agencies with more timely and accurate parolee data.

CJIS as the Hub for the Criminal Justice Records System

The CJIS network does not systematically act as a data collection or data entry point, rather it serves as the hub to establish the connections and infrastructure between the eight other key data entry points.

Current Situation. The CJIS system presently supports over 1,200 end-user devices located in 550 criminal justice agency sites across the Commonwealth. It also supports

mobile data terminals in police cruisers via links with mobile terminals systems managed by the Boston Police Department, the State Police, and other local law enforcement agencies.

CJIS also supports important interfaces with other key systems. One of these interfaces, that with the computer system in the Office of the Commissioner of Probation, was established as a result of the recommendations found in the original Criminal Records Improvement Plan. Other interfaces include the FBI's National Crime Information Center (NCIC), The National Law Enforcement Telecommunications System (NLETS), and the Massachusetts Registry of Motor Vehicles system. Many of the critical computerized criminal record files are already on CJIS, having been entered directly into the system or more often electronically transferred from the contributing agency to the CJIS network. For example, the fingerprint supported ANI file, the OCP court disposition file, the OCP civil registry of restraining orders, the DOC inmate file, the Parole Board parolee file, and the Sheriff's Departments inmate files are currently resident on the CJIS network.

Problems/Obstacles. The current technology used by the CJIS network is aging. The central computer in the complex is over five years old. Many of the existing peripheral devices are over 10 years old. The network and application infrastructure also need to be upgraded. As stated in its internal strategic planning document, the CHSB uses as its critical success factors the following criteria: reliability, rapid response, connectivity, customer support, quality information, and adequate capacity. In developing its technological infrastructure, the CHSB focuses on these six factors in addressing the problem of aging technology and designing an appropriate upgrade path.

The problem of establishing mechanisms for utilizing the SID Number as the unique identifier linking together all criminal justice records is a challenging one. The CHSB needs to expand its capabilities for connectivity between the CJIS computer and other law enforcement and criminal justice systems through a variety of methods. The proposed CHSB Technology Upgrade Plan, which has recently been approved by the Commonwealth after an assessment by the MITRE Corporation, will be critical to this implementation.

Recommendations. As outlined in its Technology Upgrade Plan, the CHSB should continue to develop technology for facilitating connectivity between the CJIS computer and other law enforcement and criminal justice systems using open systems standards. Such an approach should focus on the delivery of the SID number to contributing criminal justice agencies and should be based on clearly articulated standards for the collection and transmission of electronic information. Such an approach would ensure that each criminal justice agency would manage its own information system independently, and the criminal record data needed for the comprehensive criminal justice record system, which would be integrated by CJIS, would be generated as a by-product of the operations of the independent systems.

Implementation Strategy and Schedule

In the previous sections, eight key data entry points were identified. For each point, the quality of the criminal record information was described; problems and obstacles were identified; and, recommendations for improvements were made. In this section these recommendations are integrated into an implementation strategy using the guiding principles as a framework.

Point-of-Arrest.

The Working Group found a substantial level of automation at the point-of-arrest. The current need is to link these "islands of automation" to facilitate the exchange of information. As demonstrated through the automation survey, the vendor conference, and the point-of-arrest pilot project, the strategy of linking the automated records management systems found in local criminal justice agencies through the CJIS network is both technologically viable and operationally compelling. It is recommended that the transfer of those technologies supporting the exchange of information from local systems be further supported through the development of policy and procurement assistance to:

- encourage the acquisition of automated records management systems in local law enforcement agencies;

- support the procurement of the hardware and software necessary to effect the connections between local records management systems and the CJIS network;

- ensure that the local records management systems become fingerprint supported through improvements in fingerprint submission rates and timely feedback of the SID number to local police departments; and,

- develop standards for the further exchange of information through the publication of a criminal justice data dictionary for the Commonwealth.

Point-of-Identification.

There remains an urgent need to address capacity constraints in the MSBI and AFIS through a combined use of staffing and automation. The SID number, generated by MSBI, is the key identifier which will link all criminal record data compiled by criminal justice agencies. MSBI is pivotal in providing the SID number to contributing criminal justice agencies thereby supporting other agencies in their efforts towards internal finger-print supported criminal records systems.

The demand for the services of the MSBI is expected to increase due to improved submission rates and expanded requirements for fingerprint identification. Further, federal

mandates including the National Child Protection Act, the Brady Act, and the FBI's NCIC-2000 initiatives call for the additional fingerprint capacity. It is critical that MSBI have the capacity to address the existing backlog and to respond to the growing demand for services. Timely response to fingerprint submissions is important to ensure the quality of criminal record information in the Commonwealth. The standard for MSBI operations should be sufficient capacity to "do a day's work in a day". The MSBI should be able to support the transmission of the SID number to contributing agencies in a timely manner, and to provide inquiry capability to its Automated Names Index to contributing criminal justice agencies.

Currently there is a need to upgrade the technology used in the Commonwealth's AFIS system. Newer technology will support the use of work stations at remote sites and will permit the direct connection of live-scan fingerprint images into the AFIS computing complex. The capacity of the AFIS system has been addressed and is not currently a constraint on further improvements to the criminal records. Further upgrades to the capacity of the AFIS system will likely be required in the future.

The DOC/AFIS project demonstrated the concept of the live scan of prints at a remote site, the electronic transmission of the prints to the AFIS database, and the timely feedback of identifying information - including the SID Number - back from AFIS to the remote site. The success of this prototype has significant implications for replication at many criminal justice data entry points to ensure the positive identification of individuals and to enhance the accuracy of criminal records. Upgrades to the existing AFIS technology will support the further deployment of remote live scan technologies.

Point of Arraignment, Civil Arraignment, and Probation Supervision.

The court disposition information maintained by the Office of the Commissioner of Probation remains fully disposition supported by is not yet fingerprint supported. The point-of-arrest pilot project is significant in this regard because it demonstrated a method whereby arraignments and subject criminal history information can be fingerprint supported.

The pilot project also sets the stage whereby police departments will electronically transmit arrest/complaint information to the court of arraignment prior to the arraignment and to the MSBI for timely identification. The capability for every police department in the Commonwealth to electronically transmit such arrest/complaint information to every local probation office in the courts exists through the OCP/CJIS electronic link. Further developments of the MSBI system to ensure timely reporting of the SID number to the probation office in the courts offers the possibility to realize a comprehensive, fingerprint-supported, computerized criminal history in the Commonwealth.

Point of Correctional and Community Supervision - DOC, Sheriffs and Parole

The new fingerprint-supported criminal record system will depend not only on the arrest and court disposition data, discussed above, but also on correctional supervision data from the Department of Correction, Sheriffs' Departments, Probation, and Parole. The CORI Automation Project, initiated to meet the provisions of the new CORI law, provided an important first step in the process of integrating the correctional data with the criminal record system. The CHSB acquired data on correctional, parole, and probation status from these criminal justice agencies. Currently, this information is linked to the court disposition data by the Probation Central File (PCF) Number.

The goal, however, is to use the SID Number as the link for all the information from these agencies. The point-of-arrest pilot project established a methodology by which these contributing criminal justice agencies can establish fingerprint support for there automated criminal history files. It is important that MSBI provide a mechanism for correctional and community supervision agencies to receive the SID number in response to the submission of a fingerprint card and to perform inquiries against the MSBI data base of fingerprint information. The livescan projects in the Department of Correction and the Norfolk County Sheriff's department successfully demonstrated the ability of this technology to contribute to the capture of quality fingerprint information and the rapid transfer of fingerprint information to the MSBI.

Demonstrated progress has been made in providing connectivity between the automated systems of the agencies responsible for correctional and community supervision and making data regarding offender status in correctional and community supervision available throughout the CJIS user community. Providing fingerprint support of these automated systems will further facilitate the ability to integrate relevant information regarding a subject in response to an inquiry. The further development of electronic interfaces between the internal information systems of these criminal justice agencies and the CJIS network should be developed, further correctional and community supervision information could be made available to the CJIS user community, and establishing a method to provide the SID number for MSBI to these agencies will ensure ongoing fingerprint support for criminal history information.

CJIS Computer Network

The CJIS computer system and telecommunications network has an important role in linking together the information from many law enforcement and criminal justice agencies that will comprise the new fingerprint-based criminal record system. The OCP/CJIS connectivity upgrade set the stage for the development of similar links with other criminal justice systems: local law enforcement, corrections, and parole. The implementation of the CHSB technology upgrade plan will provide further support for open systems standards, that is facilitating the exchange of information independent of the specific hardware platform selected by the criminal justice agency. As new automation initiatives, such as MSBI automation and AFIS capacity upgrade, are being implemented, attention will be paid to

developing appropriate links to CJIS for the purposes of the further refinement of the criminal record system.

The development of standards for the exchange of criminal justice information remains a critical need. The Criminal History Systems Board, working through the Task Force, proposes that a criminal justice data dictionary be developed. This dictionary will draw on the experience of all contributing criminal justice agencies and define the types of transactions that should be exchanged and the specific data elements to be included.

Education and training efforts also remain as important issues. The CHSB will incorporate education on the need for fingerprint-supported criminal records into its education program regarding the implementation of the new CORI law. Also, this need will also be highlighted at the meetings of the CJIS Regional Working Groups, which are comprised of representatives of all law enforcement agencies in the Commonwealth. Training on proper fingerprinting techniques, as well as on the need to secure fingerprints on individuals who appear in court as the result of a summons or an indictment, and on other methods for reporting accurate and complete criminal record information will be implemented in conjunction with the Massachusetts Criminal Justice Training Council.

Emerging Criminal Records Issues

Two other criminal records improvement issues were identified by the Criminal Records Improvement Working Group as priority areas. These issues demonstrate the further application of the need for coordinated development of information systems among the agencies of the criminal justice community.

Warrants Management

Warrants provides an example of the need to provide an infrastructure for the ready exchange of information among criminal justice agencies. The need for this exchange encompasses those agencies within the boundaries of the Commonwealth as well as those beyond. A number of tragic incidents served to focus the attention of the Working Group on the manner in which information technology can contribute to addressing the issue of the timely exchange of information on warrants. As a result of these deliberations, the Working Group proposes to focus on warrants in the following manner:

- Establish an infrastructure that supports the exchange of warrants data among local law enforcement, courts, corrections, and prosecutors;

- Plan for the training of local law enforcement in the use, validation, confirmation, and interpretation of newly developed warrants information;

- Plan for the transition of the existing warrants system including the development of new validation and hit confirmation procedures;

- Support other warrants related initiatives including legislative change, apprehension, and transportation as appropriate.

Firearms Records Automation Initiatives

Due to the recent passage of the Brady Act and local concern regarding the increased use of firearms in the commission of violent crime, the Criminal Records Improvement Working Group recommends that the area of firearms records automation be part of the on-going process of records improvement. Specifically, the group proposes the following as guidelines to follow in the planning process:

- Establish a centralized point for CJIS users to access critical firearms related information including: firearms identification cards, firearms licenses to carry, firearms sales and ownership;

- Utilize the technologies demonstrated in the point-of-arrest pilot project to enhance the efficiency of the firearms licensing process through the electronic transfer of information utilizing the CJIS network from the local licensing authorities to the central Fire Arms Records Bureau; and,

- Use the Criminal Records Improvement Working Group as the planning and coordinating group to ensure implementation of the provisions of the Brady Act with respect to a national "instant" criminal records check system.

The Working Group found that substantial progress was made over the three years during which the group existed. For the Criminal Records Improvement Plan to have an on-going impact in continuing the improvements in the quality of criminal records in Massachusetts, it is essential that the Task Force remain in existence to meet periodically to monitor the implementation of the plan and to make modifications as necessary.

Summary

The goal of this report was to update the plan for the improvement of criminal records in Massachusetts. This plan is intended to serve as the framework for the further improvement of criminal record systems in Massachusetts.

This plan was prepared by the Criminal Records Improvement Working Group, a sub-committee of the Task Force, which was convened by the Secretary of the Executive Office

of Public Safety. The Working Group, chaired by the Executive Director of the Criminal History Systems Board, was comprised of individuals knowledgeable about the quality and completeness of criminal record information at key points in the criminal justice process.

The methodology used by the Working Group was to review the eight key data entry points under the general categories of arrest, court disposition, and correctional status. For each data entry point, the quality of criminal record information was described; problems and obstacles were identified; and, recommendations for improvements were made.

The Working Group relied on a set of nine guiding principles to serve as a framework for integrating the recommendations into a systematic implementation strategy. The implementation strategy and schedule is included as the final section of the plan. The Group identified two emerging issues regarding criminal record information and proposes to continue focus on warrants management and firearms automation as progress continues.

Finally, the Group agreed to remain in existence to monitor the implementation of the criminal records improvement plan and to address other areas of concern where improvements in criminal record systems are needed.

Appendix A.

Criminal Justice Records Improvement Task Force Members

Dennis A. Humphrey, Ed.D.
Chair,
Criminal Justice Records Improvement Task Force

Executive Director
Massachusetts Committee on Criminal Justice

Donald Cochran, Commissioner
Office of the Commissioner of Probation

David A. Marks
Massachusetts District Attorney's Association

Sheriff Clifford Marshall
Massachusetts Sheriff's Association

Chief William Warner
Massachusetts Chiefs of Police Association

Lt. Colonel Thomas J. Kennedy
Deputy Superintendent
Massachusetts Department of State Police

Sheila Hubbard, Chair
Massachusetts Parole Board

Captain Curtis Wood
Massachusetts Department of Correction

Francis J. Carney, Jr.
Executive Director
Criminal History Systems Board

David Lewis
Massachusetts Registry of Motor Vehicles

Philip Tortorella
Special Assistant
Office of the Attorney General

Richard Duggan
Office of the Chief Administrative Justice of the Trial Court

Appendix B.

Criminal Records Improvement Working Group Members

Francis J. Carney, Jr., Chair
Criminal Justice Records Improvement Working Group

Executive Director
Criminal History Systems Board

Captain Curtis Wood
Apprehension & Investigation Unit
Department of Correction

William Hanrahan
Associate Commissioner
Office of the Commissioner of Probation

George Klier
Deputy Sheriff
Norfolk House of Correction

Sallyann Sweeney
Systems Analyst
Massachusetts Parole Board

Lt. Det. Jim Pollard
Northeastern University Police

William Holmes
SAC Director
Committee on Criminal Justice

Carmen W. Picknally
Assistant District Attorney
Hamdpen County DA's Office

Lieutenant Michael Saltzman
Mass State Bureau of Identification
Mass. State Police

Chief William E. Warner
Middleboro Police Department

Craig Burlingame
Director of Teleprocessing
Criminal History Systems Board

Linda Holt
Special Projects Manager
Criminal History Systems Board

John Cloherty
Assistant Director
Criminal History Systems Board